

U.S. Environmental Protection Agency
New England Office
Audit Policy: Municipal Vehicle Maintenance Facilities

The U.S. Environmental Protection Agency (EPA) is working with the New England Chapter and the Maine Chapter of the American Public Works Association to make municipalities aware of EPA's Audit Policy. In addition, EPA New England, in cooperation with the New England Chapter of APWA, has developed an incentive program specifically for municipal vehicle maintenance facilities.

Goals

- increase environmental compliance
- eliminate or minimize fines
- provide time to comply

What is the Audit Policy?

EPA's Audit Policy encourages facilities, both public and private, to:

- conduct an environmental compliance audit; and,
- disclose and correct any violations that are found during the audit.

Anyone in the public or private sector can use EPA's Audit Policy at any facility at any time.

What are the Benefits to Participating?

If violations are discovered during the audit and disclosed and corrected in a timely manner, the penalty for the violations is either eliminated or substantially reduced, if all conditions of the Audit Policy are satisfied.

What is the added incentive for municipal vehicle maintenance facilities?

EPA New England is offering an additional incentive to municipal vehicle maintenance facilities that conduct an audit. Municipal vehicle maintenance facilities participating in the program will be the lowest inspection priority for EPA New England from the date you sign-up to participate through September 30, 2002. This means that they are unlikely to be inspected during this period unless EPA receives a citizen complaint or believes an imminent environmental threat exists.

How Do I Sign Up?

- Submit a letter of intent to EPA that states that you intend to conduct an audit of your facility and disclose potential violations to EPA under the audit policy.
- Identify a contact person at your facility.
- Tell us which facility (ies). Include each facility's street address.
- Have the letter signed
- Send the letter to EPA.
- Send a copy of the letter to your state environmental agency. See the attached fact

sheet for a list of state contacts.

If you decide not to participate for any reason after sending a letter of intent, send a letter to Nancy Barmakian, EPA New England, by October 1, 2001. If you decide not to participate, you will revert to normal inspection status and will be treated no better or worse than all other nonparticipants.

You can use sample letter that's attached to let us know that you intend to participate.

Are there any Deadlines?

For municipal vehicle maintenance facilities to receive the added incentive of inspection relief that EPA New England is offering, some deadlines have been established:

- Sign-up period is from April 2001 to October 1, 2001
- Send a letter of intent as soon as possible to sign-up and become the lowest EPA inspection priority. The sooner EPA receives your letter, the sooner your vehicle maintenance facilities are covered.
- Before October 1, 2001, ensure you have municipal approval and funds to conduct the audit
- If you decide not to participate for any reason after sending a letter of intent, send a letter to Nancy Barmakian, EPA New England, by October 1, 2001. If you decide not to participate, you will revert to normal inspection status and will be treated no better or worse than all other nonparticipants.
- Complete your audit by December 31, 2001 or sooner.

What Should I Do With the Completed Audit Report?

You need not send EPA the completed audit report. The report was prepared to help you discover and correct any violations of environmental requirements.

How Do I need to Follow Up With EPA?

- If violations are found during the audit, you must inform EPA of the violations in writing within 21 days of discovering the violation. The EPA Audit Web site has a good form for making disclosures.
- You must correct the violation within 60 days of discovering the violation. If you cannot correct the violation within 60 days write EPA to request an extension.
- If you inform EPA that no violations were discovered during the audit, your facility will remain a low inspection priority through September 30, 2002.
- If EPA does not hear from you within 60 days of completing your audit, your facility will return to normal inspection priority.

Does My State Environmental Agency Have the Same Policy?

See the attached fact sheet.

Who Should Conduct the Audit?

- The EPA Audit Policy specifies that the audit be an independent review of the facility's compliance status.
- EPA New England encourages the use of a qualified third party, such as a professional auditor to conduct the audit.

Where Can I Get a Copy of the Audit Policy?

This fact sheet provides highlights of the Audit Policy. Copies of the policy are available on EPA's web site at <http://es.epa.gov/oeca/finalpolstate.pdf> or by calling the EPA New England Customer Call Center at 1-888-372-7341 (toll free within New England). For EPA's audit home page visit: www.epa.gov/oeca/ore/apolguid.html.

Where Should I send My Letter of Participation?

To EPA:

Nancy Barmakian
Regional Municipal Coordinator
U.S. Environmental Protection Agency
1 Congress Street
Boston, MA 02114
telephone: (617) 918-1016

Sample Letter of Intent

Date:

Nancy Barmakian
Regional Municipal Coordinator
EPA New England, Region 1
1 Congress Street
Suite 1100 (SEW)
Boston, MA 02114-2023

Dear Ms Barmakian,

I am writing to inform you that my community's vehicle maintenance facility intends to participate in EPA New England's audit incentive program utilizing the EPA audit policy. As requested, I am providing you with the following information:

Facility Name: * _____

Facility Address:* _____

Contact Person: * _____

Phone Number:* _____

*please provide information for each facility participating

This letter of intent to participate is contingent upon funding and municipal approval. Please call me at XXX-XXX-XXXX should you need additional information or clarification.

Sincerely,

XXXXXXX
Title

cc: appropriate state official

State by State Audit Summaries

State	Audit Law/Policy	Contact	Comments
CT	yes, policy Policy on Incentives for Self-Policing	Paul T. Balavender, Manager Office of Enf. Policy & Coordination Connecticut DEP 79 Elm Street Hartford, CT 06106-5127 Tel: 860-424-3049 email: paul.balavender@po.state.ct.us	Conduct audit in accordance with EPA NE audit initiative and become lowest CT DEP inspection priority. State penalty elimination/reduction in accordance with CT audit policy.
MA	yes, policy Enforcement Response Guidance 1) Municipal Policy 2) Environmental Audit Policy	Philip Weinberg Acting Associate Commissioner MA DEP 1 Winter Street Boston, MA 02108 Tel: 617-292-5972 email: philip.weinberg@state.ma.us	Conduct audit in accordance with EPA NE audit initiative. State penalty elimination/reduction in accordance with MA audit policy.
ME	no	Jim Dusch Director of Enforcement Maine DEP 17 State House Station Augusta, ME 04333-0017 Tel: 207-287-8662 email: jim.e.dusch.@state.me.us	Conduct audit in accordance with EPA NE audit initiative and become lowest ME DEP inspection priority. Defer to EPA Audit Policy for penalty elimination/reduction.
RI	yes, audit law RI Environmental Compliance Incentive Act	Richard Girasole Jr., P.E. Principal Engineer Office of Tech.& Customer Assistance Rhode Island DEM 235 Promenade Street Providence, RI 02908-5767 Tel: 401-222-4700 EXT. 4414 email: rgirasol@dem.state.ri.us	Conduct audit in accordance with EPA NE audit initiative. State penalty elimination/reduction in accordance with RI audit law.
NH	yes, self audit law RSA 147-E Environmental Audits	Cheryl F. McGary Special Investigations Section Waste Management Division New Hampshire DES P.O. Box 95, 6 Hazen Drive Concord, NH 03302-0095 Tel: 603-271-3899 email: cmcgary@des.state.nh.us	Complete audit in accordance with EPA NE audit initiative and become lowest NH DES inspection priority (with exception of facilities applying for oil fund reimbursement). State penalty elimination/reduction in accordance with NH audit law.
VT	may reimplement VT Incentives for Self Evaluation and Environmental Compliance	Christine Thompson VT DEC 103 S. Main Street- Laundry Bldg Waterbury, VT 05671-0411 Tel: 802-241-3751 email: christ@dec.anr.state.vt.us	Complete audit in accordance with EPA NE audit initiative. State penalty elimination/reduction in accordance with VT audit policy if it is reimplemented.